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Boston Brussels Chicago Düsseldorf London Los Angeles Miami Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C. Strategic alliance with MWE China Law Offices (Shandhai) David D. Rines Associate drines@mwe.com 202.756.8099

July 26, 2007

VIA MESSENGER

Marlene H. Dortch, Secretary Federal Communications Commission Office of the Secretary c/o Natek Inc. 236 Massachusetts Avenue, N.E. Suite 110 Washington, DC 20002 FILED/ACCEPTED

JUL 2 6 2007

Federal Communications Commission
Office of the Secretary

Re: Arkansas Cable Telecommunications Ass'n, et al. v. Entergy Arkansas, Inc., EB Docket No. 06-53, EB-05-MD-004; Opposition to Motion to Strike

Dear Ms. Dortch:

Enclosed for filing please find the original and six copies of Entergy Arkansas, Inc.'s Opposition to Complainants' Motion to Strike, which are submitted for filing in the above referenced docket. In addition, we request that you date-stamp the additional copy provided and return it with the messenger.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

David D. Rines

Counsel for Entergy Arkansas, Inc.

Enclosures

No. of Copies rec'd € € List ABCDE

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

In the	Matter of)		FILED/ACCEPTED
Arkan	sas Cable Telecommunications)	EB Docket No. 06-53	JUL 2 6 2007
Association; Comcast of Arkansas, Inc.; Buford Communications I, L.P. d/b/a)		Federal Communications Commission Office of the Secretary
Alliance Communications Network; WEHCO Video, Inc.; and TCA Cable)	EB-05-MD-004	
Partne	ers d/b/a Cox Communications,)		
	Complainants,)		
ν.)		
Entergy Arkansas, Inc.,)		
	Respondent.)		
То:	Office of the Secretary			
Attn:	The Honorable Arthur I. Steinberg Administrative Law Judge			

OPPOSITION TO MOTION TO STRIKE

Pursuant to Section 1.294(a) of the Commission's Rules, 47 C.F.R. § 1.294(a), Respondent Entergy Arkansas, Inc. ("EAI"), through undersigned counsel, hereby provides its Opposition to Complainants' July 20, 2007 Motion to Strike. EAI stands by its statements and, accordingly, opposes Complainants' Motion.

Through their Motion to Strike (and with flawless irony), Complainants have proven EAI's point that Complainants' Report and Supplemental Brief on Discovery-Related Matters ("Report") was reckless and intentionally misleading.

Complainants first protest that they never alleged "criminal alteration of documents" by EAI. Complainants' verbal backtracking in this regard is both unconvincing and telling. First, Complainants did most certainly accuse EAI of criminal conduct. See Complainants' Report at

note 7 ("See 18 U.S.C. § 1001 (criminalizing the alteration of documents in a federal proceeding, including a federal agency investigation)."). Second, words have meaning, and words such as "criminal" have serious connotations such that they should not be thrown about lightly. If such an allegation is made (and it was), Complainants should stand ready to accept responsibility when their allegation is shown to be false. Instead, Complainants hide behind word games and deny their actions.

The remainder of Complainants' Motion to Strike is an attempt to explain why they did not disclose to the Administrative Law Judge that they already knew the content of EAI010020498 at the time they accused EAI of "altering" the document. Ultimately, Complainants' exercise serves only to prove EAI's point that Complainants were reckless in filing their Report in the first place. The questions raised by Complainants in their Motion to Strike as to the content of EAI010020498 were all questions that could have – and should have – been raised with EAI through a simple telephone call. Instead, Complainants chose to file their inflammatory and false Report. Complainants should accordingly be held to account.

WHEREFORE, THE PREMISES CONSIDERED, Respondent Entergy Arkansas,

Inc., opposes Complainants' Motion to Strike and respectfully requests that the Administrative Law Judge deny the Motion and take action in this proceeding consistent with the positions set forth herein.

Respectfully submitted,

Shirley S. Fujimoto
David D. Rines

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Attorneys for Entergy Arkansas, Inc.

Dated: July 26, 2007

CERTIFICATE OF SERVICE

I, David D. Rines, do hereby certify that on this day of July, 2007, a single copy (unless otherwise noted) of the foregoing "Opposition to Motion to Strike" was delivered to the following by the method indicated:

Marlene H. Dortch (hand delivery) (**ORIGINAL PLUS 6 COPIES**)
Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-A325
Washington, D.C. 20554

Hon. Arthur I. Steinberg (overnight delivery, fax, e-mail) Administrative Law Judge Office of the Administrative Law Judge Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554 Fax: (202) 418-0195

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